

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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IN RE: NEW ENGLAND COMPOUNDING )  
PHARMACY, INC. PRODUCTS LIABILITY )  
LITIGATION ) MDL No. 1:13-md-2419-RWZ  
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This Document Relates to:         )  
    All Cases                         )  
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**HARRIS BEACH PLLC'S NOTICE OF  
COMPLIANCE WITH AUGUST 12, 2014 ORDER**

On August 12, 2014, this Court entered an Order [Doc. No. 1332] addressing various matters that had been heard at the August 7, 2014 status conference. With respect to the Chapter 11 Trustee's Notice Regarding Further Relief from Preservation Order [Doc. No. 1174] and the Preservation Requests filed in response thereto [Doc. Nos. 1214, 1215, 1219], which concerned the preservation of remaining property of New England Compounding Pharmacy, Inc. d/b/a New England Compounding Center ("NECC"), this Court ordered, among other things, that "Mr. [Frederick] Fern, Special Counsel to the Trustee . . . shall provide a general (as opposed to document-by-document) index of the items he holds." Order at 4.

Consistent with this Court's Order, Mr. Fern and his firm, Harris Beach PLLC ("Harris Beach"), who serve as special counsel to the chapter 11 trustee (the "Trustee") of NECC, have made available to parties to this MDL two indices of the property collected and held by Harris Beach: one with respect to paper documents and a second with respect to electronically stored information ("ESI"). In order to ensure the dissemination of this information to interested parties, and to provide the indices in a proper format, Harris Beach has made the indices available to parties to this MDL pursuant to the Third Amended Protective Order of Confidentiality [Doc. No. 814] by depositing the indices into U.S. Legal, the electronic

document repository maintained by the Plaintiffs' Steering Committee. Harris Beach will also provide indices to this Court in camera if the Court so desires.

Dated: September 18, 2014

Respectfully submitted,

HARRIS BEACH PLLC

/s/ Frederick H. Fern

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11 Trustee of New England Compounding  
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Compounding Center*

**Certificate of Service**

I, Frederick H. Fern, hereby certify that on September 18, 2014, I caused a copy of the foregoing document, which was filed using this Court's ECF system, to be served electronically upon those parties registered to receive ECF service.

/s/ *Frederick H. Fern*  
Frederick H. Fern